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JULY 1993 U.S. PRO  
TO

PATENT  
ATTORNEY DOCKET NO.: 040894-5687  
Jc872 U.S. PRO  
09/896111

07/02/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Satoshi NAKAMURA and Kohshi NISHIMURA

For: BATTERY PACK AND BATTERY CASE USED FOR THE SAME, AND  
METHOD FOR PRODUCING THE SAMES

1. This is a new  Utility  Design  Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:  

<u>27</u>	Pages of Specification including
<u>0</u>	Title Page
<u>3</u>	Pages of Claims
<u>1</u>	Page of Abstract
<u>11</u>	Sheets of drawings containing <u>21</u> Figures

  
 The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
3. Combined Declaration and Power of Attorney  
 Enclosed and is executed by all inventors.  
 Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. Language

- English  
 Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

Priority of the following foreign applications are claimed:

Country	Application No.	Filed
Japan	2000-201302	July 3, 2000
Japan	2000-201768	July 4, 2000

Certified copies:  is attached.  will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

Priority of the following provisional application(s) is claimed:

Application No.	Filed

A. Relate Back - 35 U.S.C. §119(e)

[ ] Amend the specification by inserting before the first line the sentence:  
"This application claims priority of copending provisional application(s)  
No. \_\_\_\_\_ filed on \_\_\_\_\_. "

8. Small entity status

[ ] Small entity status under 37 C.F.R. §1.27 is asserted for the present application.

9. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee
Total Claims (37 C.F.R. §1.16(c))	14 - 20 =	0	\$ 18.00 each=	Utility \$710.00 Design \$320.00
Independent Claims (37 C.F.R. §1.16(b))	4 - 3 =	1	\$ 80.00 each=	\$80.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$270.00	+270.00
			SUB-TOTAL =	\$1060.00
			Reduction by 1/2 for filing by a small entity	- \$
			TOTAL FILING FEE =	\$1060.00

10. Fee Payment

[X] Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

[ ] Enclosed.

A check in the amount of \$\_\_\_\_\_ representing the basic filing fee of \$710.00 and an assignment recording fee of \$40.00 is enclosed.

11. [X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

12. Additional papers enclosed:

- [ ] Preliminary Amendment
- [ ] Information Disclosure Statement
- [ ] Form PTO-1449, \_\_\_ document included
- [ ] Declaration of Biological Deposit
- [ ] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

**Please accord this application an application number and filing date.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Robert J. Goodell

Reg. No. 41,040

Dated: July 2, 2001

**Customer No. 009629**

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